

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

JOYCE RAE FENDALL WILKINSON, as Personal Representative and Administratrix of the ESTATE of PAUL THOMAS WILKINSON, II,))) Case No. C-1-01288
Plaintiffs,)) Judge Beckwith
vs.)) Magistrate Black
KATHRYN JEAN FAULEY, M.D.; MARY A.))
HANEBERG MERLING, M.D.; and CLINTON))
MEMORIAL HOSPITAL,))
Defendants.))

MOTION TO AMEND CASE CAPTION

COMES NOW plaintiff and moves the Court for an order amending the above case caption to remove the names of defendants Kathryn Jean Fauley, M.D. and Clinton Memorial Hospital, due to the fact that said defendants have reached a settlement agreement with plaintiff.

WHEREFORE AND BY REASON OF THE FOREGOING, plaintiff prays that the case caption be amended to read: JOYCE RAE FENDALL WILKINSON, as Personal Representative and Administratrix of the ESTATE of PAUL THOMAS WILKINSON, II, Plaintiffs, vs. MARY A. HANEBERG MERLING, M.D., Defendant.

Respectfully submitted,

s/Anne H. Pankratz

Anne H. Pankratz (Kansas Bar# 12941)

Mark B. Hutton (Kansas Bar# 10112)

Anne M. Hull (Kansas Bar# 14436)

HUTTON & HUTTON

8100 East 22nd Street N

3100 East Linda Street, N.E., Building 1200
P.O. Box 638

P.O. Box 658
Wichita, Kans.

Wichita, Kansas 67201-0058
Telephone: (316) 688-1166

Telephone: (316) 686-1100
Facsimile: (316) 686-1077

Faxsimile: (310) 680-1077

-and-

Stanley M. Chesley (Ohio Bar# 0000852)
Renee Infante (Ohio Bar# 0052142)
James R. Cummins (Ohio Bar# 0000861)
WAITE, SCHNEIDER, BAYLESS &
CHESLEY
1513 Fourth & Vine Tower
Cincinnati, Ohio 45202
Telephone: (513) 621-0267
Facsimile: (513) 621-0262
Attorneys for Plaintiffs

HUTTON
& HUTTON
Law Firm, L.L.C.

Tallgrass Exec. Park
8100 E. 22nd St. N.
Building 1200
Wichita, Kansas
67226-2312

Mailing Address:
P.O. Box 638
Wichita, Kansas
67201-0638

316.688.1166
316.686.1077 (*fax*)
www.huttonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of October, 2004, I presented the foregoing to the clerk of the court for filing and uploading to the CM/ECF system which will send a notice of electronic filing to the following:

Attorneys for Defendant Mary A. Haneberg Merling, M.D.:

Brian D. Goldwasser
REMINGER & REMINGER
7 W. 7th Street, Suite 1990
Cincinnati, OH 45202
Phone: (513) 721-1311
Fax: (513) 721-2553

s/Renee Infante

HUTTON
& HUTTON
Law Firm, L.L.C.

Tallgrass Exec. Park
8100 E. 22nd St. N.
Building 1200
Wichita, Kansas
67226-2312

Mailing Address:
P.O. Box 638
Wichita, Kansas
67201-0638

316.688.1166
316.686.1077 (fax)
www.huttonlaw.com